



***Town of Tyngsborough
Planning Board***
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
February 2, 2012
APPROVED

Attachments:

1. Meeting Agenda
2. TF Moran Traffic Study Peer Review – January 31, 2012
3. 81 Westford Rd. Commercial Development Plans – February 2, 2012
4. 81 Westford Rd. Phase Development Plans – February 2, 2012

Members Present: Steve Nocco
Tom Delmore
Bill Gramer
Caryn DeCarteret
Steve O'Neill
Pamela Berman, Administrative Assistant
Jesse Johnson, David E. Ross Associates

7:00pm - Meeting called to order by Chairman Steve Nocco

7:02pm **321 Westford Rd. (M8, P48, L0)** – Special Permit for the repair of an existing wetland crossing within the Flood Plain District. Continued from December 15, 2011.

SN recused himself from this hearing. Planning Board engineer J. Johnson inspected the site and met with the applicant's engineer. The applicant was able to prove that the floodplain was not altered as a result of the work performed. The as-built plan was updated to show the previous level of the road, prior to fill being brought on to the site. Since the work was performed above the floodplain elevation, and the floodplain was not affected by the activity, the Planning Board determined that they had no jurisdiction.

CD: Motion close the public portion of the hearing

SO: 2nd the motion

In Favor: 4 Opposed: 0 Abstain: 1

Passes: 4-0-1

T. Delmore: Motion to issue a letter of ruling to the Conservation Commission indicating "no jurisdiction".

W. Gramer: 2nd the motion

In Favor: 4 Opposed: 0 Abstain: 1

Passes: 4-0-1

7:10pm - 81 Westford Rd. (M21, P4, L0) – Special Permit and Site Plan Special Permit in connection to the proposed construction of a commercial development consisting of 1 free standing building to contain a Honey Dew Donuts, and another building dedicated to additional retail/office entities. Continued from January 26, 2012.

Atty. Peter Nicosia and engineer Ken Lania appeared before the Board for the applicant. Mr. Lania presented updated plans that incorporated the modifications recommended by Board engineer Jesse Johnson. J. Johnson reported that he has not reviewed the modified plans yet. Planning Board traffic consultant TF Moran reviewed the project traffic study and submitted a report. Most of the concerns centered on curb cuts along Westford Rd. and the problems with egress from the parking lot. These concerns will be reviewed by the applicant's traffic engineer and addressed at the next meeting.

The Board was concerned with the phase development of the project. Specifically, the potential for phase 2 to sit idle with a vacant lot that would be an eyesore for the Town, and an 8 foot retaining wall built on only the phase 1 portion of the lot. Mr. Lania said that they could erect some temporary fencing that would improve the overall look of the site. In addition, there was some discussion concerning the second phase development plans. The Board indicated that there would be a 2 year limit with regards to the phase 2 plans, which would have to be reviewed again by the Board's engineer.

S. O'Neill: Motion to continue the hearing until February 16, 2012

W. Gramer: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

8:00pm Sleepy Hollow Lane Bond Reduction Request

J. Johnson reported that he has not received any updated plans; therefore, no bond reduction recommendation could be made to the Board.

Administrative

T. Delmore: Motion to approve the minutes from January 26, 2012

W. Gramer: 2nd the motion

In Favor: 4 Opposed: 0 Abstain: 1

Passes: 4-0-1

8:10pm

S. O'Neill: Motion to adjourn

C. DeCarteret: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Minutes respectfully submitted by
Pamela Berman
Planning Board Administrative Assistant